

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawaii 96813

October 28, 2010

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

**SUBJECT: REQUEST APPROVAL FOR SELECTION OF COMPETITIVE
SEALED PROPOSAL PROCESS AND AUTHORIZE THE
CHAIRPERSON TO AWARD AND EXECUTE A CONTRACT FOR
THE PROGRAM MANAGEMENT OF THE HAWAII URBAN AND
COMMUNITY FORESTRY PROGRAM**

This Board Submittal requests approval to issue a Request for Proposals (RFP) under the competitive sealed proposal process, and authorize the Chairperson to award and execute a contract for the program management of the Hawaii Urban and Community Forestry Program.

BACKGROUND

The U.S. Congress enacted legislation to create the Urban and Community Forestry Program as part of the Forestry Title of the 1990 Farm Bill. This Bill expanded the authority of the U.S. Department of Agriculture Forest Service to work with state forestry agencies to assist local community groups with urban tree planting, technical assistance with urban forestry, Best Management Practice implementation, and urban/school beautification projects. Since 1991 the Forest Service, through the Cooperative Forestry Act of 1978 as amended (PL 95-313), and the DLNR Division of Forestry and Wildlife (DOFAW) have implemented this program in Hawaii, which is also known as Kaulunani. As DOFAW's mandate does not directly relate to Urban Forestry, the Division has historically issued RFPs for professional urban forestry services to assist in implementation of the Kaulunani program. Traditionally, DOFAW has issued two separate RFPs for professional services for a Program Manager and Volunteer/Technical Coordinator for the Kaulunani program. However, in order to expedite implementation and improve the quality of program delivery in Hawaii, DOFAW is interested in issuing a single RFP for consolidated program management.

The Division has consulted with its partner, the U.S. Forest Service, which is supportive of this method of program management. The Federal funding for the Urban and Community Forestry Program has remained at a sufficient level for all management needs since 1991, and the Forest Service does not anticipate funding levels to decrease in the near future.

DISCUSSION

Based on the requirements and special conditions of this procurement, DOFAW recommends that a competitive sealed proposal process be used for source selection. Such an approach will be the most advantageous procurement process for the solicitation because:

- 1) The primary consideration for the determination of the awards for this Request For Proposals is not price.
- 2) The contract(s) will be other than a fixed-type price.
- 3) Oral or written discussion may need to be conducted with the Applicants concerning technical and price aspects of their proposals.
- 4) Applicants may need to be afforded the opportunity to revise their proposals, including price.
- 5) Awards may need to be based upon a comparative evaluation as stated in the request for proposal of differing price, quality, services and other contractual factors in order to determine the most advantageous offering to the State.

Pursuant to HAR 3-122-43, a determination by the Department procurement officer must be made for the use of the competitive sealed proposal process over the competitive sealed bidding process when the competitive sealed bidding process is neither practicable nor advantageous to the State. Additionally pursuant to HAR § 3-122-45, a determination must be made by the procurement officer that an evaluation committee, selected in writing by the procurement officer, shall evaluate the competitive sealed proposals. The Division recommends the use of an evaluation committee for the selection of the proposals as an evaluation committee will allow for an objective review, evaluation, ranking and selection of the most qualified proposal for the program. Further the evaluation committee must consist of at least three government employees with sufficient qualification in the area of the goods or services to be procured; DOFAW recommends the following individuals:

Sheri Mann, DOFAW (State, Cooperative Resource Management Forester)
Michael Constantinides, DOFAW (State, Forestry Program Manager)
M. Irene Sprecher, DOFAW (State, Forester)
Mary Steiner, The Outdoor Circle (Kaulunani Board Member)

In order to expedite a contract for this procurement, DOFAW requests that the Board delegate authority to the Chairperson to award and execute the contract for goods and services based on the recommendations of the evaluation committee and other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State. Additionally, should any of the committee members above be unable to participate, DOFAW requests that the Board delegate authority to the Chairperson to appoint alternates or recommend that the committee be reduced by one member should the need arise.

RECOMMENDATIONS:

That the Board:


- 1) Approves the use of:
 - a. A competitive sealed proposal for a solicitation for the program management of the Kaulunani Urban and Community Forestry Program.
 - b. An evaluation committee comprised of the individuals identified above to serve, evaluate and select the competitive sealed proposals.
- 2) Delegates authority to the Chairperson to:
 - a. Award and execute a contract for goods and services, subject to the availability of funds and review and approval by the Department of the Attorney General.
 - b. Appoint evaluation committee alternates or recommend that the committee be reduced by one member should the need arise.

Respectfully submitted,


for PAUL J. CONRY,
Administrator

Attachments

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson
Board of Land and Natural Resources